

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PAUL KENDRICK,

Plaintiff,

v.

CORRECTIONAL OFFICER GUSKIEWICZ
and SERGEANT BURRIE,

Defendants.

Civil Action No. 2:22-cv-1431

Hon. William S. Stickman IV

Hon. Maureen P. Kelly

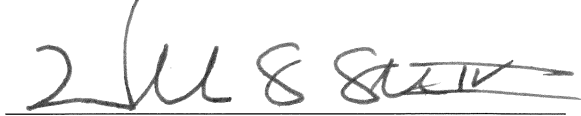
ORDER OF COURT

Plaintiff Paul Kendrick (“Kendrick”) brought this action asserting civil rights violations under the First and Eighth Amendments as well as state law negligence claims against two Pennsylvania state correctional officers for two incidents that occurred in July 2022 while he was imprisoned at the State Correctional Institution at Fayette. Defendants Correctional Officer Guskiewicz and Sergeant Burrie have sought summary judgment in their favor. (ECF No. 51). The Honorable Maureen P. Kelly issued a Report and Recommendation recommending that the motion be denied. (ECF No. 65). The parties were given the opportunity to file objections, and no objections have been filed.

After its independent *de novo* review of the record and consideration of the parties’ pleadings, the Court hereby ADOPTS Magistrate Judge Kelly’s Report and Recommendation as its Opinion. It concurs with Magistrate Judge Kelly’s thorough analysis of the claims and her legal conclusions. Genuine disputes of material fact exist as to Kendrick’s First and Eighth Amendment claims.

AND NOW, this 18 day of September 2024, IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment (ECF No. 51) is DENIED.

BY THE COURT:

A handwritten signature in black ink, appearing to read "W. S. Stickman IV", written over a horizontal line.

WILLIAM S. STICKMAN IV
UNITED STATES DISTRICT JUDGE